

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Martha Anne Floyd
54 Joshua Lane
Henderson, NC 27537**

Case No. _____

Chapter **13**

SS# **xxx-xx-6646**

SS# _____

Debtor(s)

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on July 31, 2015.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$387.00** per month for a period of **48** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs**1. Attorney fees.**

☒ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$ **0.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.

☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs. The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses

III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

a. ☒ None

b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.

d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
-NONE-	

IV. Secured Claims**1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
David A. Whitmore	Residence - 1998 28x76 Clayton Jamestown mobilehome & 1.650 acre lot located @ 54 Joshua Ln. Henderson NC (90% tax value)	R	Y	\$177.00	\$8,325.00	T
Vance County Tax Office	2011 property taxes	NR	Y	\$31.12	\$1,250.52	T
Vanderbilt Mortgage & Finance Company	Residence - 1998 28x76 Clayton Jamestown mobilehome & 1.650 acre lot located @ 54 Joshua Ln. Henderson NC (90% tax value)	R	Y	\$61.94	\$2611.90	T

2. Personal Property Secured Claimsa. ☒ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
-NONE-	

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
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Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 6% or **\$646.00 whichever is less.**

VII. Executory Contracts/Leases

a. ☒ None

b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

a. ☐ None

b. Other classes of unsecured claims and treatment

Creditor	Basis for Classification	Treatment	Amount
Cruizers 220	NSF check	Paid at 100%	\$25.00

c. Other Special Terms

Date: July 31, 2015

/s/ Donald D. Pergerson

Donald D. Pergerson 13069

Attorney for the Debtor

Address: **406 Dabney Drive
P. O. Box 2289
Henderson, N. 27536**

Telephone: **252-492-7796**

State Bar No. **13069**

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:)	
Martha Anne Floyd)	NOTICE TO CREDITORS
)	AND
)	PROPOSED PLAN
SS# xxx-xx-6646)	
SS# _____)	Case No. _____
Debtor(s))	

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402**

**Richard M. Hutson, II
Chapter 13 Trustee
Durham Division
Post Office Box 3613
Durham, NC 27702-3613**

**ADT Security Services
3190 S. Vaughan Way
Suite 150
Aurora, CO 80014**

**Amerifinancial Solutions
PO Box 602570
Charlotte, NC 28260**

**Attorney General of the United States
US Department of Justice
950 Pennsylvania Ave. NW
Washington, DC 20530-0001**

**Cavalry Portfolio Services
500 Summit Lake Dr., Ste 400
Valhalla, NY 10595**

**CMRE Financial Services
3075 E. Imoerial Hwy.
Suite 200
Brea, CA 92821**

**Credit Bureau of Greensboro
P. O. Box 26140
Greensboro, NC 27402**

**Credit Financial Services
3710 University Dr. #218
Durham, NC 27707**

**Cruizers 220
c/o Claims Accounting
P.O. Box 30272
Tampa, FL 33630-3272**

David A. Whitmore
103 Mickey Ln.
Henderson, NC 27537

Direct Merchants Bank
Card Member Services-GSC
PO Box 5246
Carol Stream, IL 60197

Duke Health Physicians
PO Box 900002
Raleigh, NC 27675

Duke University Hospital
Billing & Collections
5213 South Alston Ave.
Durham, NC 27713

Durham Diagnostic Imaging- Independence
PO Box 933393
Atlanta, GA 31193-0001

Fiji's Inc.
Attn: Recovery Operations
PO Box 7713
Marshfield, WI 54449-7713

Fingerhut Credit Account Services
Attn: Bankruptcy Dept.
PO Box 1250
Saint Cloud, MN 56395-1250

First Premier Bank
P.O. Box 5524
Sioux Falls, SD 57117-5524

First Premier Bank
P.O. Box 5524
Sioux Falls, SD 57117-5524

Henderson Emergency Physicians
566 Ruin Creek Rd.
Henderson, NC 27536

HSBC Bank
ATTN: Bankruptcy
Po Box 5253
Carol Stream, IL 60197

HSBC Bank
ATTN: Bankruptcy
Po Box 5253
Carol Stream, IL 60197

HSBC Card Services
PO Box 80084
Salinas, CA 93912-0084

HSBC Card Services
PO Box 80084
Salinas, CA 93912-0084

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

John B. Finch Attorney @ Law
4030 Wake Forest Rd.
Ste 300
Raleigh, NC 27609

Kanawha Insurance
P.O. Box 2000
Lancaster, SC 29721-2000

Maria Parham Anesthesia & Physiatry
568 Ruin Creek Rd.
Ste 128
Henderson, NC 27536

Maria Parham Medical Center
PO Box 59
Henderson, NC 27536

Mason Direct
1251 First Ave.
Chippewa Falls, WI 54774

Medical Payment Data
2001 9th Ave
Ste 312
Vero Beach, FL 32960

Midnight Velvet
1112 7th Avenue
Monroe, WI 53566-1364

N.C. Employment Security Commission
PO Box 26504
Raleigh, NC 27611

NC Department of Revenue
P.O. Box 25000
Raleigh, NC 27640-0002

Optimum Outcomes
Suite 600
421 Fayetteville St.
Raleigh, NC 27601-1792

Publishers Clearing House
101 Winners Circle
Port Washington, NY 11050

Reginald S.Hinton
Process Agent For NC Dept.Of Revenue
Post Office Box 25000
Raleigh, NC 27640-5000

Seventh Avenue
1112th Ave.
Monroe, WI 53566-1364

Swiss Colony Inc.
1112 7th Ave
Monroe, WI 53566

The Paragon
P.O. Box 2864
Monroe, WI 53566-8064

Tire's Plus
600 Hillsboro St.
Oxford, NC 27565

US Attorney
Middle District of NC
101 South Edgeworth St., Fourth Floor
Greensboro, NC 27401

Vance County EMS
122 Young St
Suite B
Henderson, NC 27536

Vance County Tax Office
122 Young Street
Suite E
Henderson, NC 27536

Vanderbilt Mortgage & Finance Company
Attn: Bankruptcy Dept.
P.O. Box 9800
Maryville, TN 37802

Vital Recovery Services
P.O. Box 923748
Norcross, GA 30010-3748

Wake Radiology Consultants,P.A.
P.O.Box 19368
Raleigh, NC 27619-9368

West Asset Management
2703 N. Highway 75
Sherman, TX 75090

Date: July 31, 2015

/s/ Donald D. Pergerson
Donald D. Pergerson 13069